



11-08-07

US Patent No. 6,743,430
IDS PURSUANT TO MPEP §1134.01
Page 1 of 9
Submitter's Reference: 574313-5044

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Richard E. Parizek et al.
U.S. Serial No. : 10/748,524
Filing Date : December 29, 2003
Assignee : Intervet International B.V.
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For : MULTICOMPONENT VACCINE CONTAINING
CLOSTRIDIAL AND NON-CLOSTRIDIAL
ORGANISMS IN A LOW DOSE
Examiner : Hines, JaNa A.
Group Art Unit : 1645

Meril Limited, 3239 Satellite Blvd, Duluth GA 30096
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Date of Deposit: November 7, 2007

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INFORMATION DISCLOSURE STATEMENT UNDER MPEP §1134.01

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Dear Sir:

Pursuant to MPEP §1134.01, the undersigned, on behalf of Meril Limited, a
third party to the above-captioned patent application hereby calls the Examiner's
attention to European Patent No. 0734731, which corresponds to the above-captioned
application, the decision revoking European Patent No. 0734731, and the Notices of

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Opposition and documents cited therein with respect to European Patent No. 0734731, and more generally to the below-listed documents (submitted herewith as Exhibits and listed in the accompanying PTO 1449).

The decision revoking corresponding European Patent No. 0734731, it is respectfully believed, was not available sooner than September 19, 2007; and hence, is believed to have been first available later than two months after the publication of the above-captioned patent application. Likewise, the Notices of Opposition are not believed to have been available within two months of the publication of the above-captioned patent application. , Thus, it is respectfully submitted that this Information Disclosure Statement (IDS) is timely under MPEP 1134.01 since documents cited herein and submitted herewith were not available within two months of publication of the above-captioned patent application.

Therefore, it is respectfully requested that the Examiner consider and make of record in the above-captioned patent application, the following, below-listed documents, with the US Patent and Trademark Office hereby authorized to charge any fee for this paper or its consideration and entry with the accompanying Exhibits, into the record of the above-captioned patent application, or credit any overpayment in such fees, to Deposit Account No. 50-0320 or 50-2354.

Exhibit 1: Decision Revoking the European Patent No. 0734731;
September 19, 2007

Exhibit 2: Communication from European Patent Office; August 7, 2007

Exhibit 3: Communication of notice of Opposition on Application 96104209.0;
February 20, 2007

Exhibit 4: Communication of a notice of opposition; January 19, 2007

Exhibit 5: Notice of Opposition on behalf of Novartis AG; January 4, 2007

Exhibit 6: Notice of Opposition on behalf of Merial Limited; January 3, 2007

Exhibit 7: Claims for European Patent Application; January 18, 2005

Exhibit 8: U.S. Patent 3,925,544

Exhibit 9: U.S. Patent 3,790,665

Exhibit 10: U.S. Patent 3,920,811

Exhibit 11: WO 94/22476

Exhibit 12: GB 2 050 830

Exhibit 13: GB 2 030 043

Exhibit 14: K.K. Kennedy et al., "Vaccination of Cattle and Sheep with a Combined *Clostridium perfringens* Types C and D Toxoid", Am J. Vet Res, vol. 38, no. 10, pages 1515-1517, October 1977

Exhibit 15: P.W. Wells et al., "Development of a combined clostridial and *Pasteurella haemolytica* vaccine for sheep", The Veterinary Record, pages 266-269, March 17, 1984

Exhibit 16: Animal Pharm, vol. 203, page 28, May 4, 1990

Exhibit 17: Clostridium Perfringens Types C & D Bacterin-Toxoid, Material Data Safety Sheet for Ultrabac CD, Pfizer Inc., pages 1-6

Exhibit 18: Clostridium Perfringens Types C & D Bacterin-Toxoid, Product Information for Ultrabac CD, Pfizer

Exhibit 19: Animal Pharm, no. 124, page 19, February 27, 1987

Exhibit 20: Animal Pharm, no. 292, page 12, January 14, 1994

Exhibit 21: A.C. Webster et al., "Comparison of immune response stimulated in sheep, rabbits and guinea pigs by the administration of multi-component clostridial vaccines", Australian Veterinary Journal, vol. 62, no. 4, April 1985

Exhibit 22: Clostridial 7-Way Plus Somnumune, Compendium of Veterinary Products, 1993 Edition, page 294

Exhibit 23: J.R. Hepple, "Aluminium Hydroxide as an Adjuvant for Clostridial Vaccines", International Symposium on Adjuvants of Immunity, vol. 6, pages 173-180, 1966

Exhibit 24: Gerald L. Stokka, et al., "Inflammatory response to clostridial vaccines in feedlot cattle", JAVMA, vol. 204, no. 3, February 1, 1994

Exhibit 25: Sterne, "Immunisation of Sheep with Multi-component Clostridial",
The Veterinary Record, vol. 74, no. 34, pages 909-913, August 25, 1962

Exhibit 26: "A Knotty Issue", Beef Today, page 22, September 1992

Exhibit 27: Dittmer, "Help in Injection Site Blemishes Arrives", CALF News
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Exhibit 28: Smith, "Anti-clostridial product reduces carcass defects",
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Exhibit 29: D.G. Eggleton et al., "Immunisation against ovine caseous
lymphadenitis: correlation between *Corynebacterium pseudotuberculosis* toxoid
content and protective efficacy in combined clostridial-corynebacterial
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Exhibit 30: D.G. Eggleton et al., "Immunisation against ovine caseous
lymphadenitis: efficacy of monocomponent *Corynebacterium pseudotuberculosis*
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Exhibit 31: Flebbe et al., "Immunopotentiality by SGP and Quil A", Cellular
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Exhibit 32: G.J.A. Speijers et al., "Local Reactions of the Saponin Quil A and a
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A Comparison with the Effect of DPT-Polio Vaccine", Fundamental and Applied Toxicology, vol. 10, pages 425-430, 1988

Exhibit 33: B. Morein et al., "Iscom, a novel structure for antigenic presentation of membrane proteins from enveloped viruses", NATURE, vol. 308, March 29, 1984

Exhibit 34: Vision Vaccines, MILES, Product Information for Vision 7 with Spur

Exhibit 35: Vision Vaccines, 1992, Press Release, page 1

Exhibit 36: Product Information on Vision, Intervet

Exhibit 37: 3,919,441

Exhibit 38: 4,292,307

Exhibit 39: Advertising Brochure "Alpha – 7" Just Once

Exhibit 40: Product Literature for Alpha-7, "Clostridium chauvoei – septicum – novyi – sordellii – perfringens Types C & D Bacterin – Toxoid"

Exhibit 41: Product Literature for Alpha-7 from the Anchor Division of Boehringer Ingelheim Animal Health, Inc.

Exhibit 42: Product information for Alpha – 7, www.cattlenetwork.com

Exhibit 43: Information Disclosure Statement in respect of USSN 10/748,524 referring to Boehringer Ingelheim Animal Health, Inc. Distributor Policy and Terms [confirming public availability of Alpha – 7 in 1994]

Exhibit 44: Barharsefat et al., "Immunisation Active Des Bovins Par Le Vaccin Associe Antisepicemie Hemorragique (Pateurellose) Et Anticharbon Sympotatique (Qartiers Noirs) En Iran.", Arch. Inst. Razi, vol. 28, page 51-56, 1976

Exhibit 45: Noah, "Compendium of Data Sheets for Veterinary Products", Datapharm Publication Ltd., London, 1993-94

Exhibit 46: N.C. Srivastava, et al., "Preliminary Observations on Combined Vaccination Against Haemorrhagic Septicaemia and Black Quarter", Indian Vet., vol. 53, pages 168-174, March 1976

Exhibit 47: J.M. Blancou et al., "Etude d'un vaccine mixte contre le charbon bacteridien et le charbon symptomatique" Rev. Elev. Med. vet. Pays trop., vol. 27, no. 2, pages 183-187, 1974

Exhibit 48: M. Apley et al., "Subcutaneous Injection Site Comparison of Two Multiple Valent Clostridial Bacterin/Toxoids in Feedlot Cattle", AGRI-PRACTICE, vol. 15, no. 5, pages 9-12, May 1994

Exhibit 49: P.W. Wells, et al. "Development of a combined clostridial and *Pasteurella haemolytica* vaccine for sheep" The Veterinary Record, vol. 114, pages 266-269, 1984

Exhibit 50: "Clostridial vaccines vs. consumption", Animal Health Update, Large Animal Veterinarian, page 20, January/February 1995

Exhibit 51: "IVS Annual", Vaccines and Antisera, 18(a) (i) Cattle, sheep and goats, Crows Nest, NSW: MIMS Publishing, page 405, 1994

Exhibit 52: P.D. Walker, "Bacterial vaccines: old and new, veterinary and medical", Vaccine, vol. 10, issue 14, pages 977-990, 1992

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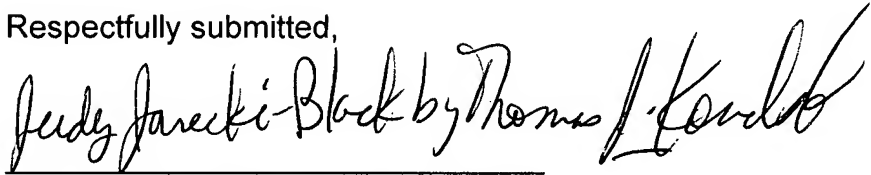
CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and complete copy of this INFORMATION DISCLOSURE STATEMENT UNDER MPEP §1134.01 and accompanying Exhibits 1-53 hereto is being served on the attorney of the patent owner at the address as provided for in 37 C.F.R. § 1.33(c), i.e., the attorney or agent of record, namely,

INTERVET INC.
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in accordance with 37 C.F.R. §§ 1.248(a)(4) and (b)(2), via first class mail, on
November 7, 2007.

Respectfully submitted,

A handwritten signature in cursive script that reads "Judy Jarecki-Black by Thomas J. Kowalski". The signature is written in black ink and is positioned above a horizontal line.

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